

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW JERSEY**

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LOUIS WOHLTMAN,

Plaintiff,

v.

THE CITY OF NEWARK, NEWARK  
POLICE DEPARTMENT, ANTHONY  
AMBROSE, GARRY F. McCARTHY,  
KURT R. EBLER, RICHARD CUCCOLO,  
JOHN DOES 1-10,

Defendants.

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Civil Action No. 07-5871 (JAG)

**ORDER**

**GREENAWAY, JR., U.S.D.J.**

This matter comes before this Court on the motion of the American Civil Liberties Union of New Jersey (the “ACLU-NJ”), for leave to appear as *amicus curiae*; it appearing that this Court reviewed the parties’ submissions; it also appearing that no motion is currently pending before this Court requiring the contribution of the ACLU-NJ, see Neonatology Assocs., P.A. v. Comm’r of Internal Revenue, 293 F.3d 128, 130 (3d Cir. 2002) (stating that a motion for leave to appear as *amicus curiae* should be denied if the movant fails to, inter alia, demonstrate that the request is desirable and relevant); see also Price v. Corzine, No. 06-1520, 2006 U.S. Dist. LEXIS 54511, at \*6 (D.N.J. Aug. 7, 2006) (stating that a party seeking leave to appear as *amicus curiae* must show that “the proffered information is timely and useful”); and good cause appearing,

IT IS on this 28<sup>th</sup> day of July, 2008,

ORDERED that the ACLU-NJ's motion for leave to appear as *amicus curiae* (Docket Entry No. 5) is denied without prejudice, as premature; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of entry of this Order.

S/Joseph A. Greenaway, Jr.  
JOSEPH A. GREENAWAY, JR., U.S.D.J.